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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,629	11/13/2003	Kotikanyadanam Sreekrishna	9423	5723

27752 7590 06/23/2005

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

EXAMINER

DUNSTON, JENNIFER ANN

ART UNIT PAPER NUMBER

1636

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

The reply filed 4/20/2005 is not fully responsive to the Office communication mailed 12/28/2004 for the reason(s) set forth below or on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

The Office communication mailed 12/28/2004 required applicant to review the entire application and fully comply with all sequence rules. The response is not fully responsive for the following reasons:

1. The specification defines the term "truncated hairless protein (HRT)" as the sequence provided in SEQ ID NO: 16 (see paragraph bridging pages 5-6). The substitute sequence listing filed 4/20/2005 provides an amino acid sequence in SEQ ID NO: 16. However, the sequence of SEQ ID NO: 16 is for mouse vitamin D receptor and is not a truncated version of the mouse hairless protein. SEQ ID NO: 16 was determined to be the mouse vitamin D receptor protein for the following two reasons: 1) applicant has labeled SEQ ID NO: 16 as "VDR" in the substitute sequence listing filed 4/20/2005, and 2) a sequence search of the commercial sequence databases identified mouse vitamin D receptor as the protein with the highest sequence identity to that of SEQ ID NO: 16. Further, the protein of SEQ ID NO: 16 is only 442 amino acids long. The specification describes SEQ ID NO: 16 as the C-terminus of the hairless protein from amino acids 490-1182 (see the paragraph bridging pages 5-6 and page 7, lines 7-15). This protein should be 693 amino acids long.

2. The specification states that "the nucleic acid sequence encoding amino acids 490 to 1182 is provided as SEQ ID NO: 17" (page 7, lines 9-10). The sequence listing is composed of SEQ ID NOS: 1-16. The sequence listing does not contain the nucleic acid sequence that

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encodes the truncated hairless protein. The sequence of SEQ ID NO: 17 should be 2079 nucleotides long.

3. The specification contains nucleic acid sequences identified as SEQ ID NOS: 100, 101, 102 and 103, which are not contained in the sequence listing.

To comply with the requirements of 37 C.F.R. 1.821-1.825, applicant must correct the abovementioned instances of non-compliance and must fully review the application to correct any other non-compliant sequence disclosures contained in the application.

Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer Dunston whose telephone number is 571-272-2916. The examiner can normally be reached on M-F, 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel can be reached at 571-272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR, <http://pair-direct.uspto.gov>) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your

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For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

Jennifer Dunston
Examiner
Art Unit 1636

jad



TERRY MCKELVEY
PRIMARY EXAMINER

Notice to Comply	Application No.	Applicant(s)	
	10/712,629	SREEKRISHNA ET AL.	
	Examiner	Art Unit	
	Jennifer Dunston	1636	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: See the attached detailed action.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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